



AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

ATTORNEY DOCKET NO. 10031315-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Jonathan Qiang Li

Serial No.: 10/817,660

Examiner: Mia M. Thomas

Filing Date: April 2, 2004

Group Art Unit: 2609

Title: SYSTEM AND METHOD FOR PROCESSING TRAINING DATA FOR A STATISTICAL APPLICATION

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- ☐ Response/Amendment ☐ Petition to extend time to respond
☐ New fee as calculated below ☐ Supplemental Declaration
☐ No additional fee (Address envelope to "Mail Stop Amendments")
☒ Other: Response Concerning Un-Entered IDS (Fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	26	MINUS	26	= 0	X 50	\$ 0
INDEP. CLAIMS	3	MINUS	3	= 0	X 200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ 360	\$ 0
EXTENSION FEE	1 ST MONTH 120.00 <input type="checkbox"/>	2 ND MONTH 450.00 <input type="checkbox"/>	3 RD MONTH 1020.00 <input type="checkbox"/>	4 TH MONTH 1590.00 <input type="checkbox"/>	\$ 0	
OTHER FEES						\$ 0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.2 5. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Jonathan Qiang Li

By

Gregory W. Osterloth
Attorney/Agent for Applicant(s)

I hereby certify that this correspondence is being Deposited with the United States Postal Service as First class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: July 19, 2007

Typed Name: Chasity C. Rossum

Signature:

Reg. No. 36,232

Date: July 19, 2007

Telephone No. (303) 295-8205



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/817,660 Confirmation No. 3412
Applicant : Jonathan Qiang Li
Filed : April 2, 2004
TC/A.U. : 2609
Examiner : Mia M. Thomas
Docket No. : 10031315-1

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE CONCERNING UN-ENTERED IDS

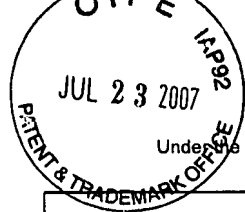
Sir:

In an Office Action mailed April 18, 2007, the Examiner indicated that the IDS filed 11/16/2006 failed to comply with 37 CFR 1.98 because applicant submitted a blank IDS with nothing to initial. Applicant did, in fact, submit a completed IDS form. Looking at PAIR, applicant can find no record of a 11/16/2006 in the "Transaction History". The IDS form which applicant submitted does seem to appear in the "Image Wrapper". However, it is labeled as an NPL Document and is not viewable. Applicant therefore believes the Office made a mistake in how they logged applicant's electronically submitted IDS. A copy of applicant's 11/16/2006 IDS, including the four references cited therein, is attached hereto. Applicant requests entry of this IDS, and consideration of the references therein. Applicant does not believe a fee is necessary, since this IDS was properly submitted on 11/16/2006 (i.e., at a time when no fee was due).

Respectfully submitted,
HOLLAND & HART, LLP

By: 

Gregory W. Osterloth
Reg. No. 36,232
Tel: (303) 295-8205

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	10817660
Filing Date	2004-04-02
First Named Inventor	Jonathan Qiang Li
Art Unit	2621
Examiner Name	Unknown
Attorney Docket Number	10031315-1

U.S. PATENTS

Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1					

If you wish to add additional U.S. Patent citation information please click the Add button.

U.S. PATENT APPLICATION PUBLICATIONS

Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1					

If you wish to add additional U.S. Published Application citation information please click the Add button.

FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1							<input type="checkbox"/>

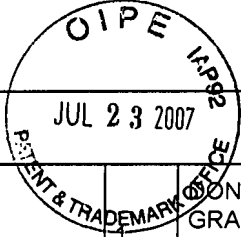
If you wish to add additional Foreign Patent Document citation information please click the Add button

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵

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First Named Inventor	Jonathan Qiang Li	
Art Unit	2621	
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Attorney Docket Number	10031315-1	



	1	SONOHO A W ET AL: "MACSPIN: DYNAMIC GRAPHICS ON A DESKTOP COMPUTER" IEEE COMPUTER GRAPHICS AND APPLICATIONS, IEEE SERVICE CENTER, NEW YORK, NY, US, vol 8, no. 4, 1 July 1988 pages 51-58, XP000049652 ISSN: 0272-1716 *page 52, column 2, section "x-y plots", page 53, column 1, lines 22-24 and page 56, lines 9-10*	<input type="checkbox"/>
	2	LEVENT M ARSLAN ET AL: "Selective Training for Hidden Markov Models with Applications to Speech Classification" IEEE TRANSACTIONS ON SPEECH AND AUDIO PROCESSING, IEEE SERVICE CENTER, NEW YORK, NY, US, vol 7, no 1 January 1999 XP011054337 ISSN: 1063-6676 *page 47, column 2*	<input type="checkbox"/>
	3	"Curve Fitting Toolbox" July 2001, THE MATHWORKS Inc., NATICK, MA, USA, XP002395093 *page 2.27*	<input type="checkbox"/>
	4	D. HAUG ET AL: "IMPLEMENTING EXPLORATORY SPATIAL DATA ANALYSIS METHODS FOR MULTIVARIATE HEALTH STATISTICS" PROCEEDINGS OF GIS/LIS '97 ANNUAL CONFERENCE AND EXPOSITION, [Online] 28 October 1997 - 30 October 1997 pages 205-213, XP002395091 Cincinnati, Ohio, USA Retrieved from the Internet: URL: http://www.geovista.psu.edu/publications/GISLIS97/index.html> [retrieved on 2006-08-17] * section "Creating Scaleable and Linkable Scatterplots"	<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

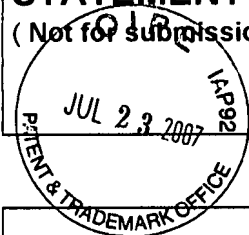
EXAMINER SIGNATURE

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)



Application Number	10817660
Filing Date	2004-04-02
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Art Unit	2621
Examiner Name	Unknown
Attorney Docket Number	10031315-1

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☒ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☐ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Ian Hardcastle/	Date (YYYY-MM-DD)	2006-11-16
Name/Print	Ian Hardcastle	Registration Number	34,075

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.